

RECEIVED  
CENTRAL FAX CENTER

Attorney Docket No.: FOPA-P101 OCT 04 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Steve MERRICK et al.

Confirmation No.: 5612

Application No.: 10/803,804

Group Art Unit: Not yet assigned

Filed: January 13, 2004

Examiner: Not yet assigned

Title: APPARATUS AND TECHNIQUE FOR  
DETERMINING PLACEMENT OF OPTICAL  
COMPONENTS IN OPTICAL  
COMMUNICATION APPLICATIONS**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(f). Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

(X) Executed Declaration and Power of Attorney. The above-identified application is the same application which the inventor executed by signing the enclosed declaration.

(X) Statutory basic filing fee \$ (X) Utility \$385 ( ) Design  
Applicant Claimed Small Entity Status at Filing

(X) Additional claim fees of \$45

(X) Missing Parts Surcharge = \$65.00

(X) 7 sheets of substitute drawings in compliance with 37 CFR 1.84.

(X) Extension of Time Request for reply to Notice of Missing Parts is requested.

( ) one month = \$55.00

(X) two months = \$215.00

( ) three months = \$490.00

( ) four months = \$765.00

Attorney Docket No.: FOPA-P101

Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1914. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, P.O. Box 1450, Commissioner for Patents, Alexandria, VA 22313-1450; OR being facsimiled to the United States Patent Office at 703-872-9306.

Date of Deposit/Fax: October 4, 2004  
Typed Name: Van Mahamedi

Signature: 

Respectfully submitted,

By 

Van Mahamedi

Reg. No. 42,828

Date: June 18, 2004

Telephone No.: (408) 551-6632

SHEMWELL GREGORY & COURTNEY LLP  
4880 Stevens Creek Boulevard, Suite 201  
San Jose, CA 95129



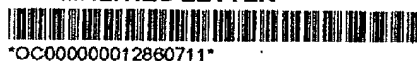
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/803,804	03/18/2004	Steve Merrick	FOPA-P101

30554  
SHEMWELL GREGORY & COURTNEY LLP  
4880 STEVENS CREEK BOULEVARD  
SUITE 201  
SAN JOSE, CA 95129

CONFIRMATION NO. 5612  
FORMALITIES LETTER



\*OC000000012860711\*

Date Mailed: 06/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be made on paper that has a white background (see 37 CFR 1.84 (e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 4,7.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

Page 2 of 2

- Additional claim fees of \$45 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$495 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$45
  - \$45 for 5 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE